IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLN.NO.1560 OF 2007

Sachin Krishna Pawar ..Applicant

Vs.

State of Maharashtra ..Respondents

...

Mr.M.K.Kocharekar with Mr.Prakash Naik Advocate for Applicant
Mr.K.V.Saste A.P.P. for the State

...

CORAM: SMT.V.K.TAHILRAMANI,J.
DATE : MAY 03, 2007

P.C.

1. Heard the learned advocate for the applicant and the learned A.P.P. for the State.

2. The applicant is seeking bail in C.R.No.I-104 of 2007 of Ambernath Police Station. The said case is mainly under Section 326 of IPC.

3. The role attributed to the applicant is that he has given one blow in the stomach of the complainant. The complainant has not named the present applicant in his FIR. In the FIR, he states that one unknown person has assaulted on his stomach. However, almost seven days later, the

complainant in his further statement has stated that the person who stabbed him is the present applicant.

4. Mr.Kocharekar, the learned advocate for the applicant has submitted that this clearly shows that the applicant has been falsely implicated in this case as an after thought. Looking to the implication of the applicant in the further statement of the complainant which was recorded by the police seven days after the FIR was recorded, I find much merit in the submission made by the learned advocate for the applicant. Hence, I am inclined to grant bail to the applicant.

5. The applicant to be released on bail in the sum of Rs.20,000/- (Rs.twenty thousand only) with one or two sureties to make up the said amount in C.R.No.I-104 of 2007 of Ambernath Police Station. The applicant shall report to the concerned Police Station once in a week till the conclusion of trial.

6. Application is disposed of.

[Smt. V.K.Tahilramani, J.]